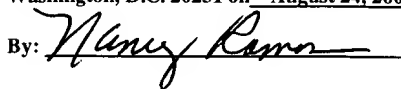


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By:



Printed: Nancy Ramos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Bandman et al.

Title: LUNG GROWTH FACTOR VARIANT

Serial No.: To Be Assigned

Filing Date:

Herewith

Examiner: To Be Assigned

Group Art Unit:

To Be Assigned

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit under 37 C.F.R. 1.98(3)(d) that copies of the references are not included herein as copies were previously cited by or submitted to the Office in parent application Serial No. 08/760,745, filed December 5, 1996, or Serial No. 09/207,980, filed December 7, 1998, from which we are claiming priority under 35 U.S.C. 120.

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner

and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108**. **A duplicate copy of this communication is enclosed.**

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: August 24, 2001

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U.S. Department of Commerce, Patent and Trademark Office	Atty Docket No.	Serial No.
	PF-0169-2 CON	To Be Assigned
LIST OF REFERENCES CITED BY APPLICANTS	Applicant	
(Use several sheets if necessary)	Bandman et al.	
	Filing Date	Group
	HEREWITH	To Be Assigned
U.S. Patent Documents		

*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	5,235,042	8/10/93	Klagsbrun	530	399

Foreign Patent Documents

							Translation	
	Document	Date	Country	Class	Subclass	Yes	No	
	2.	06,343,470A	12/20/94	JP	---	---		

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

3.	Nakamura, H. et al., "Molecular cloning of complementary DNA for a novel human hepatoma-derived growth factor. Its homology with high mobility group-1 protein.", <u>J.Biol.Chem.</u> (1994) 269(40):25143-25149.
4.	Baxeavanis, A.D., et al., "The HMG-1 box protein family: classification and functional relationships.", <u>Nucleic Acids Res.</u> (1995) 23(9):1604-1613.
5.	Morton, R.L., et al., "Chromosomal proteins HMG-14 and HMG-17 are synthesized throughout the S-phase in Burkitt's lymphoma.", <u>Biochem.Biophys.Res.Comm.</u> (1996) 222(2):368-373.
6.	Harley, V.R., et al., "The HMG box of SRY is a calmodulin binding domain.", <u>FEBS Lett.</u> (1996) 391(1-2):24-28.
7.	Onate, S.A. et al., "The DNA-bending protein HMG-1 enhances progesterone receptor binding to its target DNA sequences.", <u>Mol.Cell Biol.</u> (1994) 14(5):3376-3391.
8.	Izumoto, Y. (Direct Submission), GenBank Sequence Database (Accession 945419), National Center for Biotechnology Information, National Library of Medicine, Bethesda, Maryland, 20894.
9.	Auffray, C. et al, HSC10E061, "H. sapiens partial cDNA sequence; clone c-10e06" EMBL SEQUENCE DATABASE, 21 September 1995, Heidelberg, Germany
10.	Adams, M.D. et al, HS20113, "EST28619 Homo sapiens cDNA" EMBL SEQUENCE DATABASE, 8 September 1995, Heidelberg, Germany

Examiner

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.

Examiner

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